

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Abad *et al.* Confirmation No.: 5409  
Appl. No.: 10/032,717 Group Art Unit: 1645  
Filed: October 23, 2001 Examiner: Not yet assigned  
For: GENES ENCODING NOVEL PROTEINS WITH PESTICIDAL ACTIVITY  
AGAINST COLEOPTERANS

**COPY**

Commissioner for Patents  
Washington, DC 20231

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
CITATION UNDER 37 C.F.R. § 1.97**

Sir:

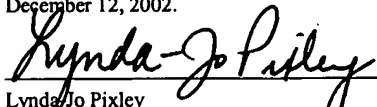
Attached is a list of documents on form PTO-1449 together with a copy of each identified document. It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

It is not believed that additional fees are required. However, in the event that additional fees are necessary to allow consideration of this paper, such fees are hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Leigh W. Thorne  
Registration No. 47,992

<p><b>CUSTOMER NO. 29122</b> <b>ALSTON &amp; BIRD LLP</b> Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260</p>	<p><b><u>CERTIFICATE OF MAILING</u></b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Washington, DC 20231, on December 12, 2002.</p>  <p>Lynda Jo Pixley</p>
---	--

Substitute for Form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete Known</b> Application Number: 10/032,717 Filing Date: October 23, 2001 First Named Inventor: Abad Group Art Unit: 1645 Examiner Name: Not yet assigned Attorney Docket Number: 35718/237005			
Sheet	1	of	1				
<b>U. S. PATENT DOCUMENTS</b>							
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document Number      Kind Code <sup>2</sup> (if known)		Name of Patentee or Applicant Of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear	
	18	US - 5,554,534		Michaels <i>et al.</i>	09-10-1996		
<b>FOREIGN PATENT DOCUMENTS</b>							
Examiner Initials	Cite No.	Foreign Patent Document Office <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	19	WO	93/15206	Mycogen Corporation	08-05-1993		
Examiner Signature					Date Considered		
<b>NON PATENT LITERATURE DOCUMENTS</b>							
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					T
	20	BRAVO <i>et al.</i> , "Characterization of <i>cry</i> Genes in a Mexican <i>Bacillus thuringiensis</i> Strain Collection," <i>Applied and Environmental Microbiology</i> , 1998, pp. 4965-4972, Vol. 64(12).					
	21	NAIDU <i>et al.</i> , "Screening of <i>Bacillus thuringiensis</i> Serotypes by Polymerase Chain Reaction (PCR) for Insecticidal Crystal Genes Toxic Against Coffee Berry Borer," <i>Indian Journal of Experimental Biology</i> , 2001, pp. 148-154, Vol. 39.					
	22	NARVA <i>et al.</i> , "Novel Coleopteran-Active Toxins from <i>Bacillus thuringiensis</i> ," 1993, XP-002218453.					
	23	SUN <i>et al.</i> , "Recent Developments in the Biotechnology of <i>Bacillus thuringiensis</i> ," <i>Biotechnology Advances</i> , 2000, pp. 143-145, Vol. 18(2).					

\* Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

RTA01/2129170v1

<sup>1</sup> Unique citation designation number.

<sup>2</sup> See attached Kinds of U.S. Patent Documents.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Commissioner Patents  
Washington, DC 20231

Date Mailed: December 12, 20  
Atty. Dkt. No. 35718/237005 (5718-118)

**COPY**

Application No. 10/032,717; Filing Date October 23, 2001  
Inventor(s): Abad *et al.*; Title of Invention: "GENES ENCODING NOVEL  
PROTEINS WITH PESTICIDAL ACTIVITY AGAINST COLEOPTERANS"  
Documents Enclosed: Supplemental IDS (1 page); Form 1449 (1 page); and  
Copies of 6 References

Check Enclosed \$0

Kindly acknowledge receipt by placing office stamp hereon and  
returning postcard to: Lynda-Jo Pixley  
**ALSTON & BIRD LLP**

